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Attorneys for Plaintiffs, WILLIAM ALAN GLUCK,  
MONA SANCHEZ AND JANI BIELENBERG,  
individually and on behalf of all employees similarly situated

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

WILLIAM ALAN GLUCK, MONA  
SANCHEZ and JANI BIELENBERG,  
individually and on behalf of all employees  
similarly situated,

Plaintiffs,

vs.

A PLACE FOR MOM, a Washington  
corporation; and does 1 to 100, inclusive.

Defendants.

Case No.: CV 08-00030 PJH

CLASS ACTION

**STIPULATION FOR ORDER  
CONTINUING CLASS  
CERTIFICATION MOTION FILING  
DEADLINE; ~~PROPOSED~~ ORDER**

Complaint Filed: November 21, 2007  
Date of Removal: January 3, 2008

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

**STIPULATION**

Plaintiffs WILLIAM ALAN GLUCK, MONA SANCHEZ AND JANI BIELENBERG, individually and on behalf of others similarly situated (“Plaintiffs”), and Defendant, A PLACE FOR MOM (“Defendant”) (collectively the “Parties”) hereby stipulate as follows:

WHEREAS, this case was commenced on November 21, 2007 in the Superior Court of California, County of Alameda, alleging various wage-and-hour law violations under the FLSA and the California Labor Code and thereafter on January 3, 2008, Defendants removed the action to this Court, and filed their Answer.

WHEREAS, the Complaint alleges both a nationwide “opt-in class” for claims under the FLSA and a California state-wide “opt-out class” for claims under the California state laws.

WHEREAS, under the FLSA, a putative class member must affirmatively opt in to a pending action to become a member of the class.

WHEREAS, on January 29, 2009, the Court, pursuant to stipulation, approved a Notice under 29 U.S.C. § 216(b) and set a deadline of March 24, 2009 for putative class members to opt-in to the pending FLSA action.

WHEREAS, on April 10, 2009, the parties mediated this case before Honorable William J. Cahill (Ret.). That mediation was productive, but not yet successful.

WHEREAS, the parties have agreed that they need to take depositions of representative plaintiffs and certain employees of defendant before resuming settlement efforts.

WHEREAS, the parties intend to re-engage in settlement efforts after conducting such depositions

WHEREAS, the Court had previously set a deadline for plaintiffs to file the motion for class certification of June 30, 2009 which is prior to the time the parties will be able to take the necessary depositions and resume their negotiations.

1 WHEREAS, the parties continue to believe that they should exhaust settlement  
2 efforts before undertaking the expense and time, as well as the use of this Court's  
3 resources, of contested class certification proceedings.

4 **THEREFORE**, the Parties have agreed, subject to the Court's approval that:

- 5 1. The Court continue the deadline for Plaintiffs to file their class certification  
6 motions from **June 30, 2009** to **October 30, 2009** in the event the parties do  
7 not settle, so that the parties have the opportunity to pursue further class  
8 certification discovery.

9 **SO STIPULATED:**

10 Dated: May 12, 2009

CLASS ACTION LITIGATION GROUP, APC

11  
12 By: /s Rene L. Barge  
13 Rene L. Barge  
14 Attorneys for Plaintiffs WILLIAM ALAN  
15 GLUCK, MONA SANCHEZ, and JANI  
16 BIELENBERG, individually and on behalf  
of all employees similarly situated

17 Dated: May 12, 2009

THE FELDMAN LAW FIRM, APC

18  
19 By: /s Lee Feldman  
20 Lee R. Feldman  
21 Attorneys for Plaintiffs WILLIAM ALAN  
22 GLUCK, MONA SANCHEZ, and JANI  
23 BIELENBERG, individually and on behalf  
of all employees similarly situated

24 Dated: May 12, 2009

KERR & WAGSTAFFE, LLP

25  
26 By: /s Michael von Loewenfeldt  
27 Michael von Loewenfeldt  
28 Attorneys for Defendant, A PLACE FOR  
MOM, INC.

**ORDER**

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

1. The Court continues the deadline for Plaintiffs to file their class certification motions from **June 30, 2009** to **October 30, 2009**.

IT IS SO ORDERED:

Dated: 5/15/09



I, Michael von Loewenfeldt, am the ECF User whose ID and password are being used to file this STIPULATION FOR ORDER CONTINUING CLASS CERTIFICATION MOTION FILING DEADLINE; PROPOSED ORDER. In compliance with General Order 45, X.B., I hereby attest that Rene L. Barge and Lee Feldman, co-lead counsel for plaintiffs, have concurred in this filing.

DATED: May 12, 2009

**KERR & WAGSTAFFE LLP**

By /s/  
MICHAEL VON LOEWENFELDT

Attorneys for Plaintiffs